

**BEFORE THE  
DEPARTMENT OF NATURAL RESOURCES**

**Notice of Public Hearing**

**Proposed Redesignation of the County of Manitowoc from  
Nonattainment to Attainment of the 8-hour National Ambient Air Quality Standard  
(NAAQS) for Ozone, including Maintenance.**

**NOTICE IS HEREBY GIVEN** that pursuant to ss. 285.11 (5) and (6) and 285.23(2), Stats., and ch. NR 401, Wis. Adm. Code, the Department of Natural Resources will hold a public hearing on its proposal to redesignate the County of Manitowoc from nonattainment to attainment of the 8-hour NAAQS for ozone.

Designation of ozone nonattainment areas

Under the federal Clean Air Act, USEPA was required to identify those areas of the nation that did not meet the ambient air quality standards for ozone. On April 15, 2004, USEPA designated ten Wisconsin counties as nonattainment areas for the 8-hour ozone standards. Those counties are Door, Kenosha, Kewaunee, Manitowoc, Milwaukee, Ozaukee, Racine, Sheboygan, Washington, and Waukesha.

The Department proposed to designate these same 10 counties as nonattainment for 8-hour ozone for state air quality planning purposes under s. 285.11(5), Stats., and ch. NR 401, Wis. Adm. Code. The Department held a public hearing on November 9, 2004 in Milwaukee. After review and addressing the comments from the hearing and the associated public comment period, the Department will be designating all 10 counties as nonattainment areas for 8-hour ozone in early 2005.

Manitowoc County

One of the requirements for redesignating an area from nonattainment to attainment of the 8-hour ozone NAAQS is that fact that the average of the truncated fourth highest 8-hour rolling concentration in each of the three years must be below the 8-hour NAAQS. The Department's ozone monitor located in Manitowoc County has not recorded a violation of the 8-hour ozone NAAQS concentration during the 2002, 2003 and 2004 ozone seasons. Based on this monitoring data, the Department is proposing to redesignate Manitowoc County to attainment of the 8-hour ozone air quality standard. The Department will request that USEPA redesignate Manitowoc County to an attainment area through a federal action. The Department will also complete the state redesignation work so that Manitowoc County will be designated as an attainment area for the 8-hour ozone standard under both state and federal law.

The redesignation of Manitowoc County to attainment may alter the permitting requirements for new sources of volatile organic compounds (VOC) and nitrogen oxides (NOx) emissions. The exact change in requirements is unknown since the 8-hour ozone control program is currently under development. Redesignation may raise the major source threshold, change the required emission control technology for major sources and eliminate the need for acquiring VOC and NOx offsets prior to construction of major sources. All other aspects of the Wisconsin's Ozone Control Program and the related air quality management program commitments in Manitowoc County will remain as currently adopted and approved by the USEPA. This includes the VOC and NOx emission control programs embodied in the State Implementation Plan (SIP) for Ozone Control, and a continued commitment to air quality monitoring, periodic inventory reports, operation and new construction permits, and other related air quality management efforts.

The Department will request that USEPA redesignate Manitowoc County from basic nonattainment area for 8-hour ozone to an attainment area. As one component of that request, the Department must have a plan for maintaining the 8-hour ozone air quality standards in Manitowoc County for a period of at least 10 years after the redesignation (the maintenance plan). A significant part of the maintenance plan is the contingency measures which the Department will pursue if an ozone violation subsequently occurs in Manitowoc County and the

USEPA and the Department decide that the cause of the violation came from within the County. The Department proposes a comprehensive list of contingency measures that includes: reinstating offsets and/or LAER requirements for new source review for VOC sources; RACT on smaller VOC sources; tightening existing VOC RACT limits; expanding geography for existing RACT controls; high enhanced inspection and maintenance program for mobile sources; California motor vehicle emission standards; transportation control measures/ transportation demand management; California nonroad engine and/or nonroad vehicle standards; California AIM coating standards; California commercial and consumer products solvent limits and expanded geography for existing area source VOC controls. The Department anticipates that only a few of these measures would be required if contingency measures were necessary.

The Department is seeking comment on the proposed redesignation of Manitowoc County from nonattainment to attainment for the 8-hour ozone standard. In addition, the Department is seeking comments on its proposed maintenance plan for Manitowoc County, including the contingency measures.

NOTICE IS HEREBY FURTHER GIVEN that the public hearing will be held on:

**Tuesday March 29, 2005 at 1:00 p.m.**  
Manitowoc Public Library, Balkansky Community Room  
707 Quay Street  
Manitowoc, WI

NOTICE IS HEREBY FURTHER GIVEN that pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call Bart Sponseller at (608) 264-8861 with specific information on your request at least 10 days before the date of the scheduled hearing.

#### **Written Comments and Copies of Documents**

Written comments on the proposed designation may be submitted to Mr. Bart Sponseller, Bureau of Air Management AM/7, P.O. Box 7921, Madison, WI 53707 no later than **April 8, 2005**. Comments may be submitted electronically to [bart.sponseller@dnr.state.wi.us](mailto:bart.sponseller@dnr.state.wi.us). Written comments will have the same weight and effect as oral statements presented at the hearing.

A copy of the documents supporting the nonattainment designation may be downloaded from <http://dnr.wi.gov/org/aw/air/hot/8hrozonestd/manitowoc.htm> or a hard copy may be obtained from:

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Dated at Madison, Wisconsin February 10, 2005

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By /S/  
Scott Hassett, Secretary